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Attorney's Docket No.: 01194-514001 / 03-317

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kristin Feeley et al.

Art Unit : 3763

Serial No. : 10/786,021

Examiner : Catherine Williams

Filed : February 26, 2004

Title : ANTIMICROBIAL AGENT DELIVERY SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b), BOSTON SCIENTIFIC SCIMED, INC., a corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

☒ A chain of title from the inventors of the patent application identified above to the current assignee as shown below.

1. From Kristin Feeley and Ray Lareau to Scimed Life Systems, Inc., recorded in the Patent and Trademark Office at Reel 015026, Frame 0389 on February 26, 2004.

2. From Scimed Life Systems, Inc. to Boston Scientific Scimed, Inc., as evidenced by the attached Articles of Merger.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee, as evidenced by the attached Limited Authorization.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

John J. Gagel, Reg. No. 33,499
Robert C. Nabinger, Reg. No. 33,431
Sean P. Daley, Reg. No. 40,978
Tu N. Nguyen, Reg. No. 42,934

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 17, 2006
Date of Deposit

Scott Barrett
Signature

Scott Barrett

Typed or Printed Name of Person Signing Certificate

Applicant : Kristin Feeley et al.
Serial No. : 10/786,021
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Attorney's Docket No.: 01194-514001 / 03-317

Michael R. Hamlin, Reg. No. 54,149
Jeffie A. Kopczynski, Reg. No. 56,395
Tonya S. Drake, Reg. No. 57,861

FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.


All correspondence regarding the application should be sent to:

PTO Customer Number: 26161

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 5/15/06


SCOTT T. BLUNI

Title: Assistant Secretary

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

4I-1170

O I P E IAP28
MAY 19 2006
PATENT & TRADEMARK OFFICE

**ARTICLES OF MERGER OF
BOSTON SCIENTIFIC SCIMED, INC.
WITH AND INTO
SCIMED LIFE SYSTEMS, INC.**

Pursuant to Minnesota Business Corporation Act, Section 302A, the undersigned, Boston Scientific Scimed, Inc., a Minnesota corporation ("BSS"), and Scimed Life Systems, Inc., a Minnesota corporation ("Scimed Life"), hereby adopt the following Articles of Merger for the purpose of merging BSS with and into Scimed Life, with Scimed Life being the surviving corporation.

1. The Agreement and Plan of Merger between BSS and Scimed Life dated as of December 15, 2004 (the "Merger Agreement"), as required by Minnesota Business Corporation Act, Section 302A.615, subdivision 1, is attached hereto as Exhibit I.
2. The Board of Directors and sole shareholder of BSS approved the Merger Agreement in a joint written action dated as of December 15, 2004 pursuant to Minnesota Business Corporation Act, Section 302A.613.
3. The Board of Directors and all of the shareholders of Scimed Life approved the Merger Agreement in a joint written action dated as of December 15, 2004 pursuant to Minnesota Business Corporation Act, Section 302A.613.
4. The name of the surviving corporation shall be Boston Scientific Scimed, Inc.
5. The merger shall be effective upon the later of 12:01 a.m. on January 1, 2005 or the filing of these Articles of Merger with the Secretary of State of the State of Minnesota.

IN WITNESS WHEREOF, BSS and Scimed Life have caused these Articles of Merger to be executed by their respective officers thereunto duly authorized this 22nd day of December, 2004.

BOSTON SCIENTIFIC SCIMED, INC.

SCIMED LIFE SYSTEMS, INC.

By: 

Paul A. LaViolette
Chief Executive Officer and President

By: 

Paul W. Sandman
Chief Executive Officer

AGREEMENT AND PLAN OF MERGER

This Agreement and Plan of Merger (this "Merger Agreement") is made and entered by and between Scimed Life Systems, Inc., a Minnesota corporation ("Scimed Life"), and Boston Scientific Scimed, Inc., a Minnesota corporation ("BSS"), as of the 15th day of December, 2004.

WHEREAS, Boston Scientific Corporation, a Delaware corporation ("BSC"), is the sole shareholder of BSS and holds 4,919,847 of the outstanding shares of common stock of BSS;

WHEREAS, BSC and Boston Scientific Wayne Corporation, a New Jersey corporation and a subsidiary of BSC ("Wayne"), are the shareholders of Scimed Life, with BSC holding 10,000 of the outstanding shares of common stock of Scimed Life and Wayne holding 354 of the outstanding shares of common stock of Scimed Life;

WHEREAS, BSC, Wayne, BSS and Scimed Life desire that, following the effective time of the merger, BSC shall hold 10,628 of the outstanding shares of common stock of the surviving corporation and Wayne shall hold 354 shares of common stock of the surviving corporation;

WHEREAS, the parties intend that the merger contemplated hereby shall be a tax-free reorganization under Sections 368(a)(1)(A) and 368(a)(1)(D) of the Internal Revenue Code of 1986, as amended, and that this Merger Agreement shall constitute a plan of reorganization;

WHEREAS, the respective boards of directors of BSS and Scimed Life have, by resolutions duly adopted, determined that a merger of BSS with and into Scimed Life (the "Merger") in accordance with the terms of this Merger Agreement and the applicable provisions of the Minnesota Business Corporation Act, as amended, is in the best interests of each such party and its respective shareholders; and

WHEREAS, 100% of the shareholders of each of BSS and Scimed Life have approved and adopted the terms of this Merger Agreement and the Merger;

NOW, THEREFORE, the parties hereto agree as follows:

1. Merger. The Merger shall take effect in accordance with the plan of merger, attached hereto as Exhibit A (the "Plan of Merger"), and incorporated into this Merger Agreement.

2. Governing Law. The internal law, without regard for conflicts of laws principles, of the State of Minnesota will govern all questions concerning the construction,

validity and interpretation of this Merger Agreement and the performance of the obligations imposed by this Merger Agreement.

3. Assignment. This Merger Agreement and all of the provisions hereof will be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns, except that neither this Merger Agreement nor any of the rights, interests or obligations hereunder may be assigned by any party hereto without the prior written consent of the other party hereto.

4. Amendment and Waiver. The parties may, by written agreement, waive compliance with or modify, amend or supplement any of the covenants or agreements contained in this Merger Agreement.

5. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered by hand, or mailed by first class mail, return receipt requested, or when receipt is acknowledged by return telecopy if telecopied, to the address appearing on the corporate records of each of the parties hereto (or to such other address as a party may designate by notice to the other).

6. Counterparts. This Merger Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this Merger Agreement to be duly executed as of the day and year first above written.

BOSTON SCIENTIFIC SCIMED, INC.

By: 

Paul A. LaViolette
Chief Executive Officer and President

SCIMED LIFE SYSTEMS, INC.

By: 

Paul W. Sandman
Chief Executive Officer

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

DEC 22 2004


Secretary of State

BEST AVAILABLE COPY

PLAN OF MERGER
OF
BOSTON SCIENTIFIC SCIMED, INC.
INTO
SCIMED LIFE SYSTEMS, INC.

1. Scimed Life Systems, Inc. ("Scimed Life") is a business corporation whose jurisdiction of organization is the State of Minnesota. Boston Scientific Scimed, Inc. ("BSS") is a business corporation whose jurisdiction of organization is the State of Minnesota.

2. BSS (the non-surviving corporation) hereby merges with and into Scimed Life (the surviving corporation) pursuant to the provisions of Section 302A.601 of the Minnesota Business Corporation Act.

3. The separate existence of BSS shall cease upon the effective date of the merger pursuant to the provisions of the Minnesota Business Corporation Act, and Scimed Life shall continue its existence as the surviving corporation pursuant to the provisions of the Minnesota Business Corporation Act.

4. The name of the surviving corporation shall be Boston Scientific Scimed, Inc.

5. The merger described herein shall be effective (the "Effective Time") upon the later of 12:01 a.m. on January 1, 2005 or the filing of the Articles of Merger with the Secretary of State of the State of Minnesota.

6. The 4,919,847 shares of common stock, \$.01 par value, of BSS issued and outstanding immediately prior to the Effective Time shall be converted into and exchanged for 628 validly issued, fully paid and nonassessable shares of common stock, \$.05 par value of the surviving corporation, and a new certificate shall be issued representing such shares.

7. The directors of BSS immediately prior to the Effective Time shall be the directors of the surviving corporation, and the officers of BSS immediately prior to the Effective Time shall be the officers of the surviving corporation.

8. This plan may be terminated and the merger abandoned by the boards of directors of Scimed Life and BSS at any time prior to the Effective Time.

9. The officers of each of BSS and Scimed Life are authorized, empowered, and directed to take any and all actions that, in their discretion, are necessary to consummate the transactions contemplated by the Plan of Merger or which may be in any way necessary or proper to effect such merger.

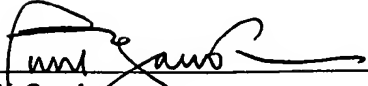
**LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE
REGARDING CERTAIN PATENT MATTERS
EFFECTIVE THROUGH: December 31, 2006**

I, Paul W. Sandman, as Executive Vice President, Secretary, and General Counsel of Boston Scientific Corporation, the controlling corporation of:

Advanced Bionics Corporation; Advanced Stent Technologies, Inc.; AMS Medinvent S.A.; BEI Medical Systems; BEI Medical Systems Operating Company (formerly known as Xylog Corporation); BEI Medical Systems International, Inc.; Boston Scientific BV; Boston Scientific Corporation Northwest Technology Center, Inc.; Boston Scientific Ireland Limited; Boston Scientific Japan KK; Boston Scientific Limited; Boston Scientific Scimed, Inc. (formerly known as Schneider (USA), Inc.); Boston Scientific Scimed, Inc. (formerly known as Scimed Life Systems, Inc.); Cardiac Pathways Corporation; Cardiovascular Innovations Canada, Inc.; Catheter Innovations Corp.; Corvita Canada, Inc.; Corvita Corporation; Corvita Europe S.A.; CryoVascular Systems, Inc.; Embolic Protection, Inc.; Enteric Medical Technologies, Inc.; EP Technologies, Inc.; Heart Technologies; Inflow Dynamics Inc.; Interventional Technologies, Inc.; Laboratoires Corvita S.A.R.L.; Meadox Medicals, Inc.; NAMIC Eireann Limited; NAMIC International, Inc.; Nilo Holding, S.A.; Precision Vascular Systems, Inc.; Prohold Medical Corporation; Prohold Technologies, Inc.; Provasis Therapeutics, Inc.; Quantum Corporation; Radio Therapeutics Corporation; Rubicon Medical Corporation; Rubicon Medical, Inc.; Schneider (Europe) GmbH; Schneider Belgium NV; Schneider Holland BV; Schneider Ireland BV; Schneider Puerto Rico (formerly known as NAMIC Caribe, Inc.); Schneider/NAMIC; Scimed Life Systems, Inc.; Smart Therapeutics, Inc.; Sub-Q, Inc.; Symbiosis Corporation; Target Therapeutics, Inc.; TriVascular, Inc.; and Vesica;

hereby authorize the following registered patent attorneys/agents (1) to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent entities, (2) to execute power of attorney documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, in any foreign or international patent applications filed with any foreign and/or international patent offices, and (3) to execute assignment and ownership documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent offices:

Scott T. Bluni.....	Reg. No. 40,916
James R. Chiapetta.....	Reg. No. 39,634
Bridget A. Cooney	Reg. No. 54,681
Luke R. Dohmen	Reg. No. 36,783
Peter J. Gafner.....	Reg. No. 36,517
Albert K. Kau.....	Reg. No. 40,672
Kurt W. Lockwood	Reg. No. 40,704
Jeffrey Z. Mann	Reg. No. 51,994
Steven A. McAuley	Reg. No. 46,084
Todd P. Messal	Reg. No. 42,883
William J. Shaw	Reg. No. 43,111
Sarah G. Stolpman	Reg. No. 57,000



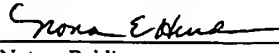
Paul W. Sandman
Executive Vice President, Secretary, and General Counsel

11/14/05

Date

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF MIDDLESEX)

On this 14th day of November, 2005, before me personally appeared Paul W. Sandman to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes set forth herein.



Notary Public

Nona E. Hurd
NOTARY PUBLIC
My commission expires Sept 18, 2009

LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE
REGARDING CERTAIN PATENT MATTERS
EFFECTIVE THROUGH: December 31, 2006

(Foreign)

I, Lawrence J. Knopf, as Vice President and Assistant General Counsel of Boston Scientific Corporation, the controlling corporation of:

Advanced Bionics Corporation; Advanced Stent Technologies, Inc.; AMS Medinvent S.A.; BEI Medical Systems; BEI Medical Systems Operating Company (formerly known as Xylog Corporation); BEI Medical Systems International, Inc.; Boston Scientific BV; Boston Scientific Corporation Northwest Technology Center, Inc.; Boston Scientific Ireland Limited; Boston Scientific Japan KK; Boston Scientific Limited; Boston Scientific Scimed, Inc. (formerly known as Schneider (USA), Inc.); Boston Scientific Scimed, Inc. (formerly known as Scimed Life Systems, Inc.); Cardiac Pathways Corporation; Cardiovascular Innovations Canada, Inc.; Catheter Innovations Corp.; Corvita Canada, Inc.; Corvita Corporation; Corvita Europe S.A.; CryoVascular Systems, Inc.; Embolic Protection, Inc.; Enteric Medical Technologies, Inc.; EP Technologies, Inc.; Heart Technologies; Inflow Dynamics Inc.; Interventional Technologies, Inc.; Laboratoires Corvita S.A.R.L.; Meadox Medicals, Inc.; NAMIC Eireann Limited; NAMIC International, Inc.; Nilo Holding, S.A.; Precision Vascular Systems, Inc.; Prohold Medical Corporation; Prohold Technologies, Inc.; Provasis Therapeutics, Inc.; Quantum Corporation; Radio Therapeutics Corporation; Rubicon Medical Corporation; Rubicon Medical, Inc.; Schneider (Europe) GmbH; Schneider Belgium NV; Schneider Holland BV; Schneider Ireland BV; Schneider Puerto Rico (formerly known as NAMIC Caribe, Inc.); Schneider/NAMIC; Scimed Life Systems, Inc.; Smart Therapeutics, Inc.; Sub-Q, Inc.; Symbiosis Corporation; Target Therapeutics, Inc.; TriVascular, Inc.; and Vesica;

and as Vice President, Legal, of Boston Scientific Limited;

hereby authorize the following registered patent attorneys/agents (1) to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent entities, (2) to execute power of attorney documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, in any foreign or international patent applications filed with any foreign and/or international patent offices, and (3) to execute assignment and ownership documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent offices:

Scott T. Bluni.....Reg. No. 40,916
James R. Chiapetta.....Reg. No. 39,634
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Kurt W. Lockwood.....Reg. No. 40,704
Jeffrey Z. Mann.....Reg. No. 51,994
Steven A. McAuley.....Reg. No. 46,084
Todd P. Messal.....Reg. No. 42,883
William J. Shaw.....Reg. No. 43,111
Sarah G. Stolpmann.....Reg. No. 57,000

Lawrence J. Knopf, Vice President and Assistant General Counsel

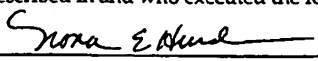
Date

11/14/05

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF MIDDLESEX

)
) ss.
)

On this 14th day of November, 2005, before me personally appeared Lawrence J. Knopf to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes set forth herein.


Nona E. Hurd
Notary Public

Nona E. Hurd
NOTARY PUBLIC
My commission expires Sept 18, 2009

[c:\Limited Authorizations\November2005]